IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

WP(C).No. 8942 of 2007(M)

PETITIONER:

CHANDRAN, AGED 70,
S/O.KANDUTHURUTHY HOUSE, MOTHIRAKANNI,
KODAKARA, THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
SRI.K.RAVI (PARIYARATH)

RESPONDENTS:
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1. THE KUTTIKADU SERVICE CO-OP. BANK,
REG.NO.572, REP. BY ITS BRANCH MANAGER,
KUTTIKADU P.O., THRISSUR.

2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), OFFICE OF THE ASSISTANT
REGISTRAR OF CO-OPERATIVE SOCIETIES,
MUKUNDAPURAM TALUK, IRINJALAKUDA P.O.,
THRISSUR DISTRICT.

3. THE SALE OFFICER, OFFICE OF THE
ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES,
MUKUNDAPURAM TALUK, IRINJALAKUDA P.O.,
THRISSUR DISTRICT.

4. THE STATE OF KERALA,
REP.BY THE ASSISTANT REGISTRAR OF CO-OPERATIVE
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SRI.JOHNSON MANAYANI
SRI.P.V.PAULSON
GOVT. PLEADER SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 **A TRUE COPY OF THE SALE NOTICE SERVED ON THE PETITIONER DTD. 13-02-2007**

RESPONDENT'S EXHIBITS

EXT.R1(A) **TRUE COPY OF THE AWARD DTD. 27-3-01 AGAINST THE PETITIONER IN ARC NO.684/01**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

W.P.(C).No.8942 of 2007

Dated this the 1st day of June, 2007

JUDGMENT

Petitioner availed a loan from the first respondent which he could not repay. Petitioner seeks the benefit of one time settlement and seeks that action may not be taken pursuant to Ext.P1.

2. I heard learned counsel for the petitioner and the learned counsel for the bank.

3. Learned counsel for the bank submits that it is not open to the bank to extend the benefit of one time settlement as the scheme is over by 31/03/2007. Learned counsel for the petitioner submits that petitioner may be permitted to pay off the entire amount with interest in easy installments.

The writ petition is disposed of permitting the petitioner to pay off the entire amounts remaining to be paid in six equal

monthly installments, the first of which shall be payable on or before 02/07/2007. To facilitate the payment, the bank will serve a statement on the petitioner showing the exact amount of installment to be paid. If any of the installments are not paid, it is open to the bank to enforce its right in accordance with law. If the petitioner continues to pay the installments, proceedings will not be enforced against him.

K.M.JOSEPH
JUDGE

sv.